



August 27, 2019

VIA ECF

Honorable Richard F. Boulware, II
Lloyd D. George Federal Courthouse
333 Las Vegas Blvd. South
Las Vegas, NV 89101

**Re: Notice of Sealing Requested in August 26, 2019 Hearing in *Le v. Zuffa et al.*,
Case No. 15-cv-01045**

Dear Judge Boulware:

Zuffa, LLC (“Zuffa”) submits this letter in response to the Court’s instruction during the hearing on August 26, 2019 that the expert reports of Dr. Hal Singer and Dr. Robert Topel would be unsealed. In the August 26, 2019 hearing, the Court ruled that if certain information is “not substantive as it relates to my decision of the testimony,” that the Court would “entertain a request subsequent” to redact certain information. Dkt. 724, Tr. 18:4-15. Zuffa has carefully reviewed all the testifying expert reports in this case. In these reports, Zuffa has identified four items for which it requests redactions. This information is included in the Expert Reports of Dr. Hal Singer (JCCX49) and Dr. Andrew Zimbalist (JCCX47).

Compelling reasons warrant sealing this material. Furthermore, although the Court has indicated that “questioning can involve any aspects of the report,” Dkt. 724, Tr. 15:2-3, Dr. Singer has not testified about this information. This information has little bearing on the disputes that are the subject of this class certification hearing. The proposed redacted expert report for Dr. Singer is attached to this letter as Exhibit A.¹

Below, Zuffa identifies the confidential information in the reports, and the rationale for sealing the information.

Paragraph/Footnote Containing Material to Seal	Compelling Reason to Seal
JCCX49, Expert Report of Hal J. Singer (August 31, 2017), ¶¶ 29 n.60, 32 n.69, 33 n.70.	These footnotes quote language from a Deutsche Bank-produced document—DB-ZUFFA-00007015—that was clawed back following production. On November 23, 2016, Deutsche Bank provided written notice to both Plaintiffs and Zuffa informing them that this privileged document was inadvertently or mistakenly produced. Pursuant to the protective order, Deutsche Bank requested that the document be

¹ Dr. Zimbalist has not yet testified, and Zuffa plans to file Dr. Zimbalist’s redacted report with the Court after the Court has heard this testimony.



Paragraph/Footnote Containing Material to Seal	Compelling Reason to Seal
	destroyed. Zuffa requests all material from this document be redacted.
JCCX49, Expert Report of Hal J. Singer (August 31, 2017), ¶ 217.	This paragraph contains specific reference to how much an individual fighter was compensated as part of his first contract with Zuffa. Zuffa requests that his name be redacted.
JCCX47, Expert Report of Andrew Zimbalist (December 26, 2017), ¶ 134 & n. 257.	The second line of this paragraph provides a specific dollar amount for what Zuffa spent on venue costs. The footnote also provides the same dollar amount. Zuffa requests that the dollar amount be redacted in both the paragraph and footnote.
JCCX47, Expert Report of Andrew Zimbalist (December 26, 2017), Table 7.	Table 7 provides dollar amounts for Zuffa's net income and dividend payouts between the years 2005 and 2014. Zuffa requests that the dollar amount for net income and dividends payout be redacted for the year 2014. Zuffa also requests that the total net income and dividend payouts be redacted to avoid disclosing the redacted amounts for 2014.

Therefore, Zuffa requests that this information be sealed.

Sincerely,

/s/ Stacey K. Grigsby

Stacey K. Grigsby
Attorney for Defendant Zuffa, LLC